

UNITED STATES DISTRICT COURT

Northern District of California

Frayo,

Plaintiff(s),

v.

The Parkinson's Institute,

Defendant(s).

07-04942 JF

**NOTICE RE: NONCOMPLIANCE
WITH COURT ORDER**

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at www.adr.cand.uscourts.gov.)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

1 450 Golden Gate Avenue, 16th Floor, San Francisco, California), or by PDF attachment
2 to an e-mail directed to adr@cand.uscourts.gov.

3
4 It is the responsibility of counsel to schedule an ADR Phone Conference, if
5 required, to occur before the Case Management Conference.

6
7
8 Dated: January 8, 2008

9 RICHARD W. WIEKING

Clerk

10 by: Timothy J. Smagacz

11 

12 ADR Administrative Assistant

415-522-4205

13 Tim_Smagacz@cand.uscourts.gov

PROOF OF SERVICE

Case Name: Frayo v. The Parkinson's Institute

Case Number: 07-04942 JF

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program
United States District Court
Northern District of California
450 Golden Gate Avenue Floor 16
San Francisco, CA 94102

On January 8, 2008, I served a true and correct copy of:

Notice Re: Noncompliance With Court Order

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Amy Richelle Carlson
Hinkle Jachimowicz Pointer & Emanuel
2007 West Hedding Street, Suite 100
San Jose, CA 95128
acarlson@hinklelaw.com

Gerald A. Emanuel
Hinkle, Jachimowicz, Pointer & Emanuel
2007 W. Hedding Street, Suite 100
San Jose, Ca 95128
jemanuel@hinklelaw.com

Gregory Charles Simonian
Clapp Moroney Bellagamba & Vucinich
1111 Bayhill Drive, Suite 300
San Bruno, Ca 94066
gsimonian@clappmoroney.com

Valerie Suzanne Higgins
Clapp Moroney Bellagamba and Vucinich
1111 Bayhill Drive

Suite 300
a Professional Corporation
San Bruno, CA 94066
vhiggins@clappmoroney.com

[] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on January 8, 2008 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz



ADR Administrative Assistant

415-522-4205

Tim_Smagacz@cand.uscourts.gov